

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONTEX CORPORATION,	CIVIL ACTION
v.	NO. 18-5623
NIKE, INC.	

ORDER RE REPLY BRIEF

AND NOW, this 1st day of June, 2021, after review of the parties' briefs regarding Plaintiff's state law claims (ECF 256, 260), it is hereby ordered that Plaintiff shall file a reply brief within seven (7) days, limited to seven (7) pages double-spaced, as to the following two issues:

1. After stating in its pretrial memo that it was abandoning its state law claims in Count IV, Plaintiff appears to be contending in its brief on state law claims that, if this Court were to hold that it could not pursue Count V under the laws of other states, Lontex still intends to pursue Count IV under Pennsylvania law. Please explain this contradiction.

2. In contending it seeks punitive damages under the laws of three states (Illinois, Georgia, and Minnesota) in Count V, Plaintiff shall disclose whether, in the factual record of this case, there is any evidence that Plaintiff competed against Defendant as to the products at issue in this case in these three states. If so, Plaintiff shall identify this evidence with reference to ECF if filed, or attach exhibits which have been disclosed in discovery. If this evidence is not in the record, what case or statutory law allows for such a claim in this case?

BY THE COURT:

/s/ MICHAEL M. BAYLSON

MICHAEL M. BAYLSON, U.S.D.J.

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